

REMARKS

Claims 63, 65-73, 75 and 77-84 remain in the present application. Claims 64, 74 and 76 are cancelled herein. Claims 63, 65, 75, 77 and 79 are amended herein. Applicant respectfully submits that no new matter has been added as a result of the Claim amendments. Applicant respectfully requests further examination and reconsideration of the rejections based on the amendments and arguments set forth below.

Allowable Subject Matter

Applicant would like to thank the Examiner for the indication that Claims 65-69, 74 and 76-80 contain allowable subject matter and would be allowed if rewritten to include all the limitations of the base claims and intervening claims. In response, Applicant has amended Claim 63 to include the limitations of Claims 64 and 74, where Claim 74 depends from Claim 64 and recites further limitations to the claimed invention. Additionally, Claim 75 has been amended to include the limitations of Claim 76.

Priority Claim

The rejection states that the specification of the present application must make a specific reference to the prior-filed application if a benefit claim is to be recognized. Applicant respectfully asserts that a benefit claim in accordance with 35 U.S.C. §120 has been made in the attached substitute and marked-up specification.

Specification Objections

The disclosure is objected to because the meaning of “compression ratio” (at least page 10, line 6) is not clear. Applicant has amended the specification to replace “compression ratio” with “compression rate” on page 10, line 24. As such, Applicant respectfully requests that the objection be withdrawn.

The specification is objected to because the embodiment shown in Figure 2A of the drawings is not described in the specification. However, Applicant respectfully disagrees. Steps 210-240 of Figure 2A are described on pages 10 and 11 of the marked-up and substitute specifications submitted herewith. As such, Applicant respectfully requests that this objection be withdrawn.

The Abstract is objected to as it exceeds the 150-word limit. The specification has been amended in the marked-up and substitute specifications submitted herewith to comply with this requirement. As such, Applicant respectfully requests that this objection be withdrawn.

Claim Objections

Claims 65-69 and 74 are objected to as being dependent upon a rejected base claim. Claim 74 is cancelled herein, and as such, Applicant respectfully asserts that the objection is moot. Additionally, since independent Claim 63 has been amended to include the subject matter of Claims 64 and 74, and the Examiner indicated that Claim 74 contains allowable subject matter, Applicant respectfully asserts that independent Claim 63 is now in condition for allowance. As such, Claims 65-69 are no longer dependent on a rejected base claim and Applicant respectfully requests that this objection be withdrawn.

Claims 79 and 80 are objected to under 37 C.F.R. 1.75(a) because the phrase “further comprising the steps of” is unclear. Claim 79 has been amended herein to remove this ambiguity. As such, Applicant respectfully requests that this objection be withdrawn.

Double Patenting

Claims 63-64, 70, 72-73 and 75-84 are rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1-30 of United States Patent Number 6,754,619. In response to this rejection, Applicant hereby submits a terminal disclaimer in compliance with 37 C.F.R. §1.321(c) to overcome the obviousness-type double patenting rejection. Accordingly, Claims 63-64, 70, 72-73 and 75-84 overcome this rejection.

Claim Rejections – 35 U.S.C. §103

Claims 63 and 75

Claims 63 and 75 are rejected in the present Office Action under 35 U.S.C. §103(a) as being rendered obvious by United States Patent Number 5,526,259 to Kaji (hereafter referred to as “Kaji”). Independent Claim 63 has been amended herein to include the allowable subject matter of Claim 74. Independent Claim 75 has been amended herein to include the allowable subject matter of Claim 76. As such, Applicant respectfully asserts that a discussion of the 35 U.S.C. §103(a) rejection of Claims 63 and 75 is moot at this time.

Claims 64, 73 and 84

Claims 64, 73 and 84 are rejected in the present Office Action under 35 U.S.C. §103(a) as being rendered obvious by Kaji in view of United States Patent Number 4,975,957 to Ichikawa et al. (hereafter referred to as "Ichikawa"). Claims 64, 73 and 84 depend from and recite further limitations to allowable independent Claims 63 and 75. As such, Applicant respectfully asserts that a discussion of the 35 U.S.C. §103(a) rejection of Claims 64, 73 and 84 is moot at this time.

Claims 70 and 81-82

Claims 70 and 81-82 are rejected in the present Office Action under 35 U.S.C. §103(a) as being rendered obvious by Kaji in view of International Patent Application Publication Number WO 97/33220 by Boldl (hereafter referred to as "Boldl"). Claims 70 and 81-82 depend from and recite further limitations to allowable independent Claims 63 and 75. As such, Applicant respectfully asserts that a discussion of the 35 U.S.C. §103(a) rejection of Claims 70 and 81-82 is moot at this time.

Claim 71

Claim 71 is rejected in the present Office Action under 35 U.S.C. §103(a) as being rendered obvious by Kaji in view of Ichikawa, and further in view of Boldl. Claim 71 depends from and recites further limitations to allowable independent Claim 63. As such, Applicant respectfully asserts that a discussion of the 35 U.S.C. §103(a) rejection of Claim 71 is moot at this time.

Claim 72 and 83

Claims 72 and 83 are rejected in the present Office Action under 35 U.S.C. §103(a) as being rendered obvious by Kaji in view of United States Patent Number 5,438,630 to Chen et al. (hereafter referred to as "Chen"). Claims 72 and 83 depend from and recite further limitations to allowable independent Claims 63 and 75. As such, Applicant respectfully asserts that a discussion of the 35 U.S.C. §103(a) rejection of Claims 72 and 83 is moot at this time.

CONCLUSION

Applicant respectfully asserts that Claims 63-84 are in condition for allowance and Applicant earnestly solicits such action from the Examiner.

The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

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